

PENAL STATUTES

521.020 Bribery of public servant.

- (1) A person is guilty of bribery of a public servant when:
 - (a) He offers, confers, or agrees to confer any pecuniary benefit upon a public servant with the intent to influence the public servant's vote, opinion, judgment, exercise of discretion, or other action in his official capacity as a public servant; or
 - (b) While a public servant, he solicits, accepts, or agrees to accept any pecuniary benefit upon an agreement or understanding that his vote, opinion, judgment, exercise of discretion, or other action as a public servant will thereby be influenced.
- (2) It is a defense under this section if a person confers or agrees to confer any pecuniary benefit upon a public servant as a result of conduct of the public servant which constitutes extortion or coercion.
- (3) It is no defense to a prosecution under this section that the person sought to be influenced was not qualified to act in the desired way because he had not yet assumed office, lacked jurisdiction, or for any other reason.
- (4) Bribery of a public servant is a Class C felony.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 477, sec. 5, effective July 15, 1994. -- Created 1974 Ky. Acts ch. 406, sec. 183, effective January 1, 1975.

521.030 Soliciting unlawful compensation.

- (1) A public servant is guilty of soliciting unlawful compensation when he requests a pecuniary benefit for the performance of an official action knowing that he was required to perform that action without compensation or at a level of compensation lower than that requested.
- (2) Solicitation of unlawful compensation is a Class B misdemeanor.

Effective: January 1, 1975

History: Created 1974 Ky. Acts ch. 406, sec. 184, effective January 1, 1975.

521.040 Unlawful compensation for assistance in public matters.

- (1) A person is guilty of unlawful compensation for assistance in public matters when:
 - (a) While a public servant, he solicits, accepts or agrees to accept compensation for advice or other assistance in preparing a bill, contract, claim or other transaction or proposal as to which he knows that he is likely to have an official discretion to exercise; or
 - (b) He offers, pays or agrees to pay compensation to a public servant for advice or other assistance in preparing or promoting a bill, contract, claim or other transaction with knowledge that acceptance by the public servant is unlawful.
- (2) Unlawful compensation for assistance in public matters is a Class A misdemeanor.

Effective: January 1, 1975

History: Created 1974 Ky. Acts ch. 406, sec. 185, effective January 1, 1975.

522.020 Official misconduct in the first degree.

- (1) A public servant is guilty of official misconduct in the first degree when, with intent to obtain or confer a benefit or to injure another person or to deprive another person of a benefit, he knowingly:
 - (a) Commits an act relating to his office which constitutes an unauthorized exercise of his official functions; or
 - (b) Refrains from performing a duty imposed upon him by law or clearly inherent in the nature of his office; or
 - (c) Violates any statute or lawfully adopted rule or regulation relating to his office.
- (2) Official misconduct in the first degree is a Class A misdemeanor.

Effective: January 1, 1975

History: Created 1974 Ky. Acts ch. 406, sec. 187, effective January 1, 1975.

522.030 Official misconduct in the second degree.

- (1) A public servant is guilty of official misconduct in the second degree when he knowingly:
 - (a) Commits an act relating to his office which constitutes an unauthorized exercise of his official functions; or
 - (b) Refrains from performing a duty imposed upon him by law or clearly inherent in the nature of his office; or
 - (c) Violates any statute or lawfully adopted rule or regulation relating to his office.
- (2) Official misconduct in the second degree is a Class B misdemeanor.

Effective: January 1, 1975

History: Created 1974 Ky. Acts ch. 406, sec. 188, effective January 1, 1975.

522.040 Misuse of confidential information.

- (1) A public servant is guilty of misuse of confidential information when, in contemplation of official action by himself or by a governmental unit with which he is associated, or in reliance on information to which he has access in his official capacity and which has not been made public, he:
 - (a) Accepts or agrees to accept a pecuniary interest in any property, transaction or enterprise which may be affected by such information or official action; or
 - (b) Speculates or wagers on the basis of such information or official action; or
 - (c) Aids another to do any of the foregoing.
- (2) Misuse of confidential information is a Class D felony.

Effective: January 1, 1975

History: Created 1974 Ky. Acts ch. 406, sec. 189, effective January 1, 1975.